

House Amendment 1019

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1 1 Amend House File 206 as follows:
1 2 #1. Page 1, by inserting after line 13 the
1 3 following:
1 4 <Sec. _____. Section 232.69, subsection 1, paragraph
1 5 b, Code 2003, is amended by adding the following new
1 6 subparagraph:
1 7 NEW SUBPARAGRAPH. (13) A member of the clergy.
1 8 However, if the belief that a child has suffered abuse
1 9 arises from information obtained only during a
1 10 penitential communication, the clergy member is not
1 11 subject to the requirement to make the report. This
1 12 subparagraph shall not be construed to modify or limit
1 13 a clergy member's duty to report the belief that a
1 14 child has been abused when the clergy member is acting
1 15 in some other capacity that would otherwise make the
1 16 clergy member a mandatory reporter of abuse. For the
1 17 purposes of this subparagraph, unless the context
1 18 otherwise requires:
1 19 (a) "Clergy member" or "member of the clergy"
1 20 means an individual who is designated as clergy by
1 21 ordination, licensing, or other form of entitlement by
1 22 the religious group or sect with whom the individual
1 23 is affiliated.
1 24 (b) "Penitential communication" means a
1 25 communication intended to be in confidence, including
1 26 but not limited to a sacramental confession made to a
1 27 clergy member who, in the course of the discipline or
1 28 practice of the clergy member's religious group or
1 29 sect, is authorized to hear those communications, and
1 30 under the discipline, practice, tenets, or customs of
1 31 the religious group or sect, the clergy member has the
1 32 duty to keep the communication secret.
1 33 Sec. _____. Section 232.69, subsection 3, paragraph
1 34 b, Code 2003, is amended to read as follows:
1 35 b. A person required to make a report under
1 36 subsection 1, other than a physician whose
1 37 professional practice does not regularly involve
1 38 providing primary health care to children or a member
1 39 of the clergy, shall complete two hours of training
1 40 relating to the identification and reporting of child
1 41 abuse within six months of initial employment or self=
1 42 employment involving the examination, attending,
1 43 counseling, or treatment of children on a regular
1 44 basis. Within one month of initial employment or
1 45 self-employment, the person shall obtain a statement
1 46 of the abuse reporting requirements from the person's
1 47 employer or, if self-employed, from the department.
1 48 The person shall complete at least two hours of
1 49 additional child abuse identification and reporting
1 50 training every five years.>
2 1 #2. By renumbering as necessary.
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2 6 MURPHY of Dubuque
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2 9 _____
2 10 McCARTHY of Polk
2 11 HF 206.501 80
2 11 jp/cf